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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DAVID BRESSELSMITH,	Case No. 3:16-cv-00512-MMD-WGC
	ORDER
v.	
TRICE,	
Defendant.	

In September 2017, the parties reached a settlement during mediation that resulted in the Court granting the stipulation for dismissal of this case with prejudice. (ECF Nos. 8, 12.) Since then, Plaintiff has filed two motions to reopen the case. (ECF Nos. 13, 16.) Defendant responded to the first motion. (ECF No. 15.) Plaintiff contends that Defendant has harassed and retaliated against Plaintiff for filing this action. (ECF No. 16 at 1.) Based on such alleged retaliation, Plaintiff asks the Court to set aside the settlement and allow him to resume the litigation. (*Id.* at 2.) However, these allegations do not challenge the validity of the settlement agreement that led to the dismissal of the lawsuit.¹ Accordingly, the Court will deny Plaintiff's request to set aside the settlement and reopen the case.


It is therefore ordered that Plaintiff's motions to reopen case (ECF Nos. 13, 16) are denied.

¹To the extent Plaintiff contends that Defendant has engaged in retaliation for Plaintiff's filing of this lawsuit, Plaintiff's recourse is to pursue a claim for First Amendment retaliation after he exhausted his administrative remedies. The Court, however, cannot consider the merits of such a claim in this case.

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It is further ordered that Defendant's motion for extension of time (ECF No. 14) is granted *nunc pro tunc*.

DATED THIS 4th day of January 2018.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE